



October 11, 2006

Subject: The Land Development Ordinance Committee

The Land Development Ordinance Committee (LDOC) met Wednesday, October 11, 2006, at 4 p.m., in Seminar Room located at The Plaza, 100 W. Innes Street, to discuss rewriting Salisbury's ordinance code. In attendance were Jake Alexander, Bill Burgin (Co-chair), John Casey, George Busby, Mark Lewis (Co-chair), Brian Miller, Rodney Queen, Victor Wallace, Jeff Smith, and Bill Wagoner.

Absent – Karen Alexander, Phil Conrad, Steve Fisher, Johnny Safrit, Dee Dee Wright, and Diane Young

Staff Present – Janet Gapen, Dan Mikkelson, Preston Mitchell, Diana Moghrabi, Joe Morris, David Phillips, Patrick Ritchie, and John Vest.

The meeting was called to order with Bill Burgin (Co-chair) presiding. The minutes of the October 5, 2006, meeting were accepted as published. Rodney Queen stated that the minutes in no way cover all the discussion in the meetings; therefore, attendance is very important.

The secretary submitted an attendance record for the past four meetings. Everyone on the committee will receive an attendance memo.

HOUSEKEEPING

Joe Morris provided an updated schedule for future meetings.

Rodney Queen made a presentation at the previous meeting that covered significant issues requiring significant time. He came to the staff committee meeting Monday. Staff will bring the results of that meeting forward to the full committee October 18. Anyone having issues are invited to attend the Monday meeting to try to work it out in order to advance the progress of the full committee meetings.

MAP CONVERSIONS

Janet Gapen provided maps and a three-page handout of properties that are not direct zoning conversions under the new code. Many of these assigned zonings are a judgment call based on the current use. An example would be the Veteran's Hospital, which is currently zoned B-1; it would be zoned HS under the new code. These maps identify 390 parcels. The subcommittee would like to take a second look to refresh their memories on some of those decisions. These properties will receive direct rezoning notifications. Janet will retain a list for statutory requirements.

Bill Wagoner wondered if this would get rid of most of the nonconformities. Bill Burgin answered that some will be eliminated; the potential for nonconformity is reduced.

CHAPTER SUMMARIES

Preston provided handouts addressing several revisions to previously discussed chapters.

The first was a discussion on **Section 2.21 General Developments-A District (GD-A)**. One example of a GD-A is the Dollar General at Hwy 150 and Sherrills Ford Road. Maps highlighting existing group development overlays were reviewed; there are not a lot of them. The outcome of the discussion was a consensus to leave the GDAs in place until ultimately, upon development, they will phase out. There will be no new or expanded GDAs under the new code. The staff committee recognizes that the community process requires City Council approval for a site plan.

Next, was a discussion concerning page 2-44, Section C, second paragraph. The committee agreed with the intent of the language but wanted it reworded for clarity. The new language will be:

When designing a CD Master Plan, the ordinance provisions related to the following chapters and/or sections are not applicable. The Master Plan may identify any alternatives to the provisions but when a plan is not providing an alternative, the following provision (s) shall remain applicable.

Jake Alexander asked what happened to a sentence that had been dropped from the original 2-44 document which, he believed, offered a positive spin. "Some elements that can be written into the zone change are height, size of buildings, setbacks and materials." Preston said that it had been a placeholder. Chapter 1.5 was specific. Staff was asked to craft a sentence to support this.

All rezonings have to be consistent with the comprehensive plan.

Members of the committee were encouraged to email Preston with their ideas and concerns.

Live/Work Units, page 3-10, letter Q. Preston explained that the International Residential Code is a relaxed, cost-based, building code. The definition of Live/Work Units on page 18-18 stated no dual occupancy is permitted. The committee discussed the meaning of tenant, occupant, resident, etc. The intent is that the same tenant, occupant, etc. would inhabit both areas of a live/work environment whether leased or owned. The live/work units will be taken out of the UR matrix. (The matrix is a living document and subject to change.) This draft was accepted with the change in Q.3. *The same occupant shall inhabit the work area and living area.*

Monday's staff committee will discuss what secular uses need adjustment under 2-8. There is concern about religious organizations and various accessory uses such as schools, gyms, and entertainment. The definition of a religious institution is found on page 18-25.

Staff will review additional standards for multifamily. In the UR zone, remove the "S" on the matrix. Multifamily will be a permitted use. This could be based on neighborhood fragility. Should it be four or less units by right? Above four units permitted with standards? Staff will come back with a recommendation at the next meeting.

The final handout at this meeting was a draft of Chapter 5 with a change in the chapter format; this is a regrouping of the chapter. In section 5.2 staff will tweak the wording regarding unarticulated walls.

The next LDOC full-committee meeting will be Wednesday, October 18, 2006, at 4 p.m. in the Plaza Seminar Room located at 100 W. Innes Street on the second floor.

The meeting was adjourned at 6:00 p.m.

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